



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

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L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

Francis L. Daniel
Regional Director

October 1, 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James R. Thornton
Director-Environmental Health and Safety
Northrop Grumman Corporation
4101 Washington Avenue
Newport News, VA 23607

RE: Modification of VPDES Permit No. VA0004804
Northrop Grumman Shipbuilding Inc.
Newport News, Virginia 23607

Dear Mr. Thornton:

The enclosed effluent limitations and monitoring requirements for the above referenced permit have been approved. Additionally, enclosed are copies of the fact sheet pages that describe public participation in the permitting process. Please replace the pages in fact sheet that you received with the draft permit with these pages.

Your permit is also enclosed. In accordance with the permit, you are required to submit monitoring reports to the following address or use the eDMR reporting system:

Department of Environmental Quality (DEQ)
Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach, VA 23462

The reporting forms are included with the permit. You will be responsible for obtaining additional copies of the reporting forms or using the eDMR system for reporting. The first reports (DMRs) are due for the month of October 2009 by November 10, 2009. The first reports (DMRs) are due for the fourth quarter of 2009 by January 10, 2010. The reports (DMR) for the semiannual periods and annual periods follow the schedule given with permit reissuance.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under Section 62.1-44.16, 62.1-44.17, and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in Section 1.23(b) of the Board's Procedural Rule No. 1. In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

If you have any additional questions, please do not hesitate to contact Deanna Austin at 757-518-2008.

Sincerely,

A handwritten signature in black ink that reads "James R. McConathy". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James R. McConathy
Water Permits Manager

cc: DEQ - OWPP, TRO File
EPA - Region III (3WP12)

Encl.: Permit No. VA0004804
Revised Fact Sheet Pages

ADJACENT STATE COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from an adjacent state and noted how resolved.

Not Applicable.

OTHER AGENCY COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from any other agencies (e.g., VIMS, VMRC, DGIF, etc.) and noted how resolved.

Not Applicable.

OTHER COMMENTS RECEIVED FROM RIPARIAN OWNERS/CITIZENS ON DRAFT PERMIT: Document any comments received from other sources and note how resolved.

The application and draft permit have received public notice in accordance with the VPDES Permit Regulation, and no comments were received.

PUBLIC NOTICE INFORMATION: Comment Period: Start Date 8/19/09
End Date 9/18/09

Persons may comment in writing or by e-mail to the DEQ on the proposed modification of the permit within 30 days from the date of the first notice. Address all comments to the contact person listed below. Written or e-mail comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered. The Director of the DEQ may decide to hold a public hearing if public response is significant. Requests for public hearings shall state the reason why a hearing is requested, the nature of the issues proposed to be raised in the public hearing and a brief explanation of how the requestor's interests would be directly and adversely affected by the proposed permit action.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Ms. Deanna Austin at: Department of Environmental Quality (DEQ), Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462. Telephone: 757-518-2008 E-mail: deanna.austin@deq.virginia.gov

Following the comment period, the Board will make a determination regarding the proposed reissuance. This determination will become effective, unless the Director grants a public hearing. Due notice of any public hearing will be given.

30. ADDITIONAL FACT SHEET COMMENTS/PERTINENT INFORMATION:

25. **305(b)/303(d) Listed Segments:** Indicate if the facility discharges to a segment that is listed on the current 303(d) list and, if so, provide all appropriate information/calculations.

This facility discharges directly to the James River. This receiving stream segment has been listed in Category 5 of the 305(b)/303(d) list for non-attainment of Dissolved Oxygen, PCB in Fish Tissue. A TMDL has not been prepared or approved for this stream segment. The permit contains a TMDL reopener clause which will allow the permit to be modified, in compliance with Section 303(d)(4) of the Act once a TMDL is approved.

NO CHANGES MADE TO THIS SECTION-SEE THE 2007 REISSUANCE FACT SHEET FOR INFORMATION

26. **CHANGES TO PERMIT:** Use TABLE III(a) to record any changes from the previous permit and the rationale for those changes. Use TABLE III(b) to record any changes made to the permit during the permit processing period and the rationale for those changes [i.e., use for comments from the applicant, VDH, EPA, other agencies and/or the public where comments resulted in changes to the permit limitations or any other changes associated with the special conditions or reporting requirements].

SEE ATTACHMENT 7

27. **NPDES INDUSTRIAL PERMIT RATING WORKSHEET:**

TOTAL SCORE: 135 NO CHANGES MADE TO THE RATING WORKSHEET. SEE 2007 REISSUANCE FACT SHEET FOR INFORMATION

28. **DEQ PLANNING COMMENTS RECEIVED ON DRAFT PERMIT:** Document any comments received from DEQ planning.

The discharge is not addressed in any planning document but will be included when the plan is updated.

29. **PUBLIC PARTICIPATION:** Document comments/responses received during the public participation process. If comments/responses provided, especially if they result in changes to the permit, place in the attachment.

VDH/DSS COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from the Virginia Dept. of Health and the Div. of Shellfish Sanitation and noted how resolved.

The VDH reviewed the application and waived their right to comment and/or object on the adequacy of the draft permit. Documentation received 4/28/09 from VDH.

The DSS has no comments on the application/draft permit. Email received from DSS on 5/1/09.

EPA COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from the U.S. Environmental Protection Agency and noted how resolved.

EPA has no objections to the adequacy of the draft permit. Email received from EPA on 9/21/09.

TABLE II - INDUSTRIAL EFFLUENT LIMITATIONS/MONITORING

OUTFALL # 026

Outfall Description: Steam Condensate, AC Condensate, and drinking fountain discharges

SIC CODE: 3731

(X) Final Limits () Interim Limits		Effective Dates -		From: Modification Date		To: Expiration	
PARAMETER & UNITS	BASIS FOR LIMITS	MULTIPLIER OR PRODUCTION	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS [a]	
			MONTHLY AVERAGE	MINIMUM	MAXIMUM		FREQUENCY
Flow (MGD)	3		NA	NA	NL	1/3 Months	Estima
pH (S.U.)	3		NA	6.0	9.0	1/3 Months	Grab
Temperature (°C)	3		NA	NA	38	1/3 Months	I.S.
Dissolved Copper (ug/l) [b]	3		NA	NA	NL	1/3 Months	Grab
Dissolved Zinc (ug/l) [b]	3		NA	NA	NL	1/3 Months	Grab

NA = NOT APPLICABLE; NL = NO LIMIT, MONITORING REQUIREMENT ONLY; I.S. = Immersion Stabilization

1/3 Months = In accordance with the following schedule: 1st quarter (January 1 - March 31); 2nd quarter (April 1 - June 30); 3rd quarter (July 1 - September 30); 4th quarter (October 1 - December 31).

[a] Samples are to be collected during times when storm water is NOT contributing flow to the outfalls.

[b] See Parts I.C.4. and I.C.5. for quantification levels and reporting requirements, respectively.

The basis for the limitations codes are:

1. Technology (e.g., Federal Effluent Guidelines)
2. Water Quality Standards (9 VAC 25-260 et. seq.)
3. Best Professional Judgment